

retrieving audio data and an indicia image associated with a song being performed by the Karaoke performer, the indicia image comprising images of words of the song embedded in a background image in the video data;

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vertically downscaling the indicia image, and repositioning the vertically downscaled indicia image and removing a portion of the background image from the indicia image to form a modified indicia image;

compositing the modified indicia image with the image of the Karaoke performer
CNC to form an output video image for display on a video display.

19. (previously amended) A method as in claim 18, wherein the step of removing removes the background image of the indicia image completely.

20. (original) A method as in claim 18, wherein the step of downscaling reduces a vertical height of the indicia image by line dropping.

REMARKS

The Office Action to which this Amendment is responsive has been carefully considered along with the cited references. In view of the proposed amended claims shown above and the following remarks, it is believed that the application is now in condition for allowance.

The Action rejected all pending claims. Specifically, claims 1, 3-6, 8-13, 16, and 18-20 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Amtex Corporation EP

07823338A2. Claims 7, 14, 15, and 17 were rejected under 35 U.S.C. 103(a) as being unpatentable over Amtex in view of Kim U.S. Patent 5,506,690. The Action was made final.

In response, applicants propose the amendments to independent claims 1, 9, 12, and 18 as set forth above. Specifically, these claims are amended to include the limitation of vertically downscaling the indicia image in conjunction with the repositioning of the vertically downscaled indicia image and removal of a background from the indicia image. As described in the specification of the application, “vertically downscaling” means reducing the vertical dimension of the indicia image while retaining the horizontal dimension of the image. *See*, Specification p. 13 and FIG. 5.

As acknowledged in the Action, Amtex does not teach or suggest vertically downscaling an image. The Action asserted, however, that the downscaling feature is inherent and well known in the art. Applicants respectfully but strongly disagree. First of all, the vertical downscaling is not inherent in a scaling application. For instance, in the Amtex reference, the image of a singer is scaled down evenly in both vertical and horizontal dimensions. Thus, downscaling an image only in the vertical dimension is clearly not inherent. Moreover, it would not have been obvious for one to try to vertically downscale the singer image of Amtex, because doing so would not make sense. If the singer image is somehow vertically downscaled while leaving its horizontal dimension unaltered, it would be highly deformed, and such a compressed image of a person would look very awkward and abnormal to viewers, thus defeating the purpose of presenting the singer image on the video display. Thus, it would not have been obvious based on the teachings of Amtex to vertically downscale any image.

In sharp contrast, vertically downscaling the indicia image retrieved from a Karaoke medium in accordance with the invention allows the vertical size of words in the indicia image to shrink, but the horizontal size of the words is not modified (i.e., remaining full-size in the horizontal direction). This makes the words significantly more legible than they would be if the indicia image is downscaled in both the vertical and horizontal dimensions. The approach of the claimed invention allows the indicia image to remain legible to the viewers while minimizing the display area taken by the indicia image, thereby allowing both the singer image and the downscaled indicia image to be effectively displayed together on the video display for viewing. Since it is not inherent in the Amtex teaching to vertically downscale an image, and it would not have been obvious to modify the Amtex system to reach the claimed invention, it is submitted that the claims as amended should be allowable over the cited art.

Furthermore, contrary to the Action's assertion, applicants believe that it was not old or well known in the art to vertically downscale an indicia image retrieved from a Karaoke medium player before it is displayed for viewing. The Action failed to provide any support for its assertion. Accordingly, the Examiner is respectfully requested to provide proper prior art references to support that assertion or, in the alternative, withdraw the rejection.

Conclusion

The application is considered in good and proper form for allowance, and the Examiner is respectfully requested to enter the proposed amendments and pass this application to issue. If, in the opinion of the Examiner, a telephone conference would expedite the prosecution of the subject application, the Examiner is invited to call the undersigned attorney.

In re Appln. of Michelson et al.
Application No. 09/736,906

Respectfully submitted,



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